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Atari Online News, Etc.
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->From the Editor's Keyboard "Saying it like it is!"
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It happened to my neighbor a couple of years ago, and now to me. I "jinxed" myself, for the good, by buying a snow thrower this year - no snow! Here it is, close to mid-January, and no snow on the ground in my neck of the woods in New England. Believe me, I am not disappointed. While we've had a few flakes on occasion since the holidays, there's nothing to show for it now. Since Joe doesn't have to shovel it (the snow, folks, the snow!), let him have it down his way instead!

It looks like I'm not the only one who thinks Microsoft's private settlement deal is self-indulging and inadequate. A ruling today squashed that "deal"! At the moment, it looks like Microsoft is doing everything it can to shoot itself in the foot, and likely other body parts! We'll see where this new road takes them.

Not much else happening here. It's been a long week after being off on vacation. The work just seems to pile up while you're away and we end up digging out from under for awhile to get caught up again. Nothing new there! May as well just get to the news and rest up for the new week that will arrive quicker than we'd all like it to!

Until next time...

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TOPP Is Searching for Original Authors

Hi all,

In case you have not yet payed TOPP a visit it is a new site dedicated to tracking down and listing source code for abandoned atari applications. TOPP stands for "The Orphaned Project Page". For full details, check out your homepage:

http://topp.atari-users.net

Currently we are trying to contact as many authors as possible of those who have written applications that many still has expressed interest in. The ones we at present are most eager to get in touch with are:

* Gary Priest (Popwatch/Newswatch)
* Joergen Von Bargen (Graftool)
* Holger Weets (ST-GUIDE + lots of other stuff)
* John Rojewski (NEWSie)

There are a lot of applications listed on site that we do not know full details of, so if you can fill in some gaps regarding development status, coding language, author details, etc, we would be most grateful to hear from you.

Best regards,

Joakim

http://topp.atari-users.net

PDF Print 1.06

Hi all,

Best wishes for this new year.

A new version of PDF Print is out: 1.06. It’s a bug fix.

PDF Print page (in French):
http://europeshareware.free.fr/scripts/visu2.php3?logiciel=63&url=0&Langue=fra

Best regards,
P. Ricard (ES)
--
Europe Shareware http://www.europe-shareware.org

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PEOPLE ARE TALKING

compiled by Joe Mirando
joe@atarinews.org

Hidi ho friends and neighbors. Well, Mother Nature finally graced us with some winter weather here in Southern New England. It was only a couple of inches of snow, but it at least says "winter". I guess that this season will give the "global warming" debate some fuel for a while, while someone looks at the current jet-stream patterns and forecasts for El Nino and maybe even reads a cup of tea leaves or something.

I've got my own opinions, of course (which shouldn't surprise you if you've read more than a few of these columns), but no matter what the "truth" is, one thing is for sure... we won't know what's going on until it's already happened. That, in and of itself, is somewhat troubling. But with all that's going on these days, no one is thinking of the weather.

Well, let's get on with the news and stuff from the UseNet.

From the comp.sys.atari.st NewsGroup

Hallvard Tangeraas asks for help in documenting TOS 2.06:

"I'm working on some documentation for TOS 2.06 and need some help in figuring a few things out...

In the TOS 2.06 "Options" menu, go to "Install Application":

(a) "Arguments:"
What's this for, and how is it used?

(b) "Document Type:"
I believe this is where you set which kind of files should have the program started if double-clicked (i.e. all .zip files when double clicked will automatically start "Stzip" when double-clicked).
Is it somehow possible to assign more than just one file-type to a program? (i.e. *.IMG,*.GIF,*.JPG for a graphical program)

(c) "Application Type:"
```
       [TOS]   [TOS-takes parameters]
       [GEM]   [GEM-takes parameters]

    "Default dir:"  [Application]  [Top Window]
    "Parameter:"    [Full Path  ]  [File Name ]
```

Can someone explain to me what all the above are for and how they're used?

Moving on.... Also in the "Options" menu, go to "Desktop Configuration":

(d) "Set default directory as: [Application] [Top Window]
    "Set input parameter:"   [Full Path] [File Name Only]

I would also like an explanation of the above -what it's for and how it's used.

Last, in the "Options" menu as well, go to "Print Screen":

(e) Does this print the whole screen all the time?
What happens if I have an open folder -will it still print the entire screen (icons and all), or will it then generate a file-listing of that active window? If so, will it be in "text" or "icon" mode?"

Chris Simon tells Hallvard:

"Not used this myself, but I think you can specify default options for

the command line. For example, if you install a command-line Zip program you can specify the extract options by default, something like -x.

I think you can alter the DESKTOP.INF (sorry, NEWDESK.INF!) to put extra file types in.

Hallvard tells Chris:

"I'm trying to figure this out, and I would think that the above would work, but I must have gotten something wrong, so can someone please put me on the right track?

I've been trying to "install" the program "ZIPJR.TTP" (which comes as part of "ST-zip 2.6"), and looking up the documentation I see that the "-x" option is correct for decompressing files, so in the TOS 2.06 "Install application" window I've put: "-x" (without the quotes) in the "Argument:" part.

Then I've tried to drag a .zip file over to the TTP, but it just returns me to the desktop.

I've also tried various different options such as "-l" which should list the contents of the zip file. Nothing works. What am I doing wrong here?"

Charles Stanley tells Hallvard:

"If it's the same for your STe as for my TT, you need to press Return after inserting the "-x" or whatever. If you need it to stay there permanently, just Save Desktop. My manual so helpfully reminds me read up the docs of the app or utility for details of what arguments are to be used and their syntax."

Greg Goodwin asks about manipulating graphics:

"Over the holidays I found myself with a few large JPEGs sent by relatives that don't fit well on my 640x480 screen. With Imagecopy it is possible to change the size of the file, but I figured there must be a way to change the size of the graphic.

Thus, how do you make a 800 x 600 JPEG into a 640 x 480 one?"

Grzegorz Pawlik tells Greg:

"In Imagecopy 4 you may press - key on the numeric keypad to make displayed image smaller. When you press +, you make it bigger. Just to display it properly...

I have read your post once again, and sorry, I didn't fully understand your point ;) The above is OK if you want only to *display* the picture on 640x480 using Imagecopy. If you want to re-size the image *permanently* and save it in 640x480 size, you must use "Options -> Screen -> Display" option, and click on "Scale to fit", where you should enter the screen size. Save options, and Imagecopy will always re-scale opened images to fit the given size, and you will be able to save the scaled image using standard "Save" option. Note that it only works for making images smaller, not bigger, so it will take effect on images bigger than the screen size only. I think this is what you need...?"

Greg asks:

"This looks good -- does it work to create any size or just the current screen resolution?"

Grzegorz tells Greg:

"You may enter any size there, lower or equal to the screen size. You may actually enter something lower than 640x480, just to make the pictures fit the window (so it will be 480 minus menu bar). Try that. Note that it will not deform the newly opened pictures in any way - this option is just to ensure that *no opened picture will be greater than the defined size*. Smaller pics will be just opened, and greater ones will be opened and re-sized to fit the defined size, which may be smaller than the screen resolution."

Edward Baiz adds:

"Just use a program like Photoline, Smurf or PhotoTip. These programs have a "SCALE" function which allows one to shrink or blow up a graphic file. They all do an excellent job."

Chris Lang asks about TOS versions:

"I just upgraded my old 520ST to 4MB using a 4MB brick. Quite some soldering work... Now I am wondering which is the best TOS to use?

Some home pages say that some TOS’s are buggy. Should I use 1.04 or maybe 2.06? Id like to use 2.06 because it supports 1.44 MB floppies...However the 520ST uses 32k EPROMS. Is there a way to make it eat 64k Eproms?"

Roger Cain asks Chris:

"Why not forget TOS and install Magic? You have plenty of RAM now - your existing TOS would just be used to load Magic."

Chris tells Roger:

"Good idea. I checked out the various MagiC sites and it seems worth a try! Thanks!"

Kyle Lavery asks about broadband access on an Atari:

"I saw a question like this asked a while back, but I forget what kind of responses it got. I was wondering what Ataris (if any) could hook up to a cable modem, and how to go about doing so."

Joshua Kaijankoski tells Kyle:

"There are several ways of connecting an Atari with cable modem service. The ideal way is having an ethernet card for your Atari and plugging the cable modem straight into it. The only drawback is that you will need a static IP for the service since Atari can’t do DHCP at this time. Some ISPs provide a static IP free of charge, some will charge extra. You can get around the DHCP problem by using a hardware firewall/router that will get the IP and then create a NAT network with the Atari getting a non-routable IP. This will also work with DSL if the router can do PPPoE.

Network cards are very hard to come by so another solution is to use a PC or something as a gateway and then using a serial cable to share the internet connection to the Atari. This will go up to 115200 bits per second which is twice as good as 56K. I'm pretty sure you can do a PLIP connection between a Linux and Mint setup. This uses the parallel port for internet sharing and gives very good speeds far superior to the serial. I forget the exact numbers.

On the software side you have an option of using STiNG which has built-in drivers for some NICs or MiNTnet or Magicnet. I never had a broadband connection on my Ataris or share the internet for that matter, I just know it can be done. Hope this helps."

Don Wolfe asks Joshua:

"I've never been quite clear on bits per second and Baud rate. On my TT030 with a 56K modem connected to Serial 2/Lan I connect to my ISP at 115200 which I assume is bits per second ?? I remember someone mentioned a longtime ago, that port speed should be set 2 to 2.5 times the Baud rate of the Modem ?? Are Baud & BPS two separate type's of Speed measurements ???"

Kenneth Medin tells Don:

"Yes very different actually, but this is not the reason why you should use 115200 bps (or higher) with a 56k modem. Modems use compression algorithms (similar to .ARC, .ZIP, etc) internally so if you send a file with lots of "empty space" (MS Word .DOC files comes to my mind...) it will be transferred much faster compared to a .JPG image or other already compressed data file.

With a serial cable running tcp/ip you will get the same speeds regardless of what kind of files you transfer.

I have connected my Ataris to broadband (actually 512 kb/sec ADSL) by using a Netgear RT314 NAT-box and an Ethernet adaptor on one of my TT:s.
I mostly use another TT running 153600 bps myself but as I get around 15000 bps in CAB also for compressed files the speed is quite adequate compared to my old 28.8k modem with around 3000 bps for compressed files.

Don't forget to visit my other TT running the Webserver Weblight under Magic. It's online all the time but right now the content is getting a bit old. I have actually kept it online now for over a year with almost no problems at all. I have around 98.6% uptime measured by an external site (securityspace.com). Url can be found below in the signature:

--
Kenneth Medin <kennethm@tripnet.se>
Atari TT at home: http://atari.mine.nu/ "

Jeff Armstrong adds:

"I have my TT030 running through a cable modem. On the TT030, I'm using a ROM-Port ethernet adapter that I built myself from the available schematics. You have to be lucky like me and find a Genius III Pocket Ethernet Adapter, though.

The ethernet line is connected to a Windows 98 machine (along with my NeXT Cube and my desktop PC) which is running Microsoft Internet Connection Sharing, believe it or not. I just set Mintnet up correctly. I set the TT's IP address to an internal network number and set the gateway and nameserver to the Windows 98 ICS machine. The ICS machine has two ethernet cards, one for the internal network and one for the cable modem connection. That's all there is to it (aside from trying to set up Windows, which is difficult to explain, but rather easy to do). The TT can browse the Internet and doesn't need a proxy server or anything! Sweet!"

Well folks, that's it for this week. Tune in again next week, same time, same station, and be ready to listen to what they are saying when...

PEOPLE ARE TALKING

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->In This Week's Gaming Section - 'Cel Damage' Defies Physics!
  """""""""""""""""""""""""""""""   Defective Xboxes = Poor Customer Service!
                                    Songbird News!

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->A-ONE's Game Console Industry News - The Latest Gaming News!
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Xbox Users Complain About Defects

Hundreds of people who bought Microsoft's hot new Xbox gaming console over the holidays received defective systems, and some said they had to wait weeks and endure shoddy customer service before their systems were fixed.

While analysts say the number of flawed consoles is probably too small to spell serious production troubles, they caution that the long repair times may harm the software giant in its first major foray into hardware.

John Kreis bought an Xbox the day it came out. But the 31-year-old Chicago man's $300 system stopped working almost immediately. Kreis said it took a month of aggravation with Xbox customer service before he got a replacement.

''The whole thing that was so frustrating (was) just the fact that still to this day I'm waiting for a call back just to explain to me what happened," he said.

The Associated Press spoke with about a dozen Xbox users who complained of a game system that never worked or worked for a few hours or days before freezing up. Most called the customer service response poor.

‘‘I’m taking my Christmas decorations down and (my son) hasn’t gotten to play with his Christmas toys yet," Debbie Mason, of Uniontown, Pa., said Thursday.

She had just been told in her ninth call to customer service that, despite an earlier promise that the system would be sent back that day, it turned out to be broken again.

Microsoft sales and marketing director John O’Rourke said fewer than 1 percent of the Microsoft units - 10,000 units in this case - have proven faulty. Analysts say that’s in line with the industry standard, and competitor Nintendo reported a comparable rate for its new GameCube.

But analyst Rob Enderle of Giga Information Systems warned that a company’s response to those customers who do have problems often is more important than how many units actually break.

‘‘If 200 people have a really bad experience and they’re vocal, then the impression is the product’s bad," he said.

During the Christmas season, Enderle added, any return that takes more than a week is ‘‘a horribly long time."

For Microsoft, which shipped about 1.5 million Xboxes over the holidays, the stakes are high. With the highly regarded Xbox, the company is battling Nintendo and Sony in a hyper-competitive game console market.

Microsoft already has been plagued with rumors of problems at its Mexican production plant after it delayed its U.S. launch date by a week - to Nov. 15 - and pushed back its Japan launch as well.

The company has denied any major problems.

Plenty of people who bought defective Xboxes got decent customer service. Marc Patri, 49, said in an e-mail that his Xbox was repaired and returned within five days - which O’Rourke called the time it should take a unit to get repaired.

Microsoft uses outside companies, including San Antonio, Texas-based Harte-Hanks Inc. and Sykes Enterprises in Tampa, Fla., to handle its Xbox customer service. Xbox repairs are handled by Solectron Corp. of Milpitas, Calif.

A spokesman for Harte-Hanks declined to comment. The other companies did not respond to calls seeking comment.

Microsoft has seen no pattern of specific problems, said O’Rourke, and heard of no major delays with repairs.

Kreis said it took nearly two weeks before he even received an empty box to send his faulty Xbox back for repair.

And he got conflicting answers: At one point, customer service couldn’t find his records. Another representative told him he would get a new unit rather than have his old one repaired. Another agent told him they never send new units out.

Still later, someone called him and asked him how he was enjoying his new Xbox - which he'd never received.

Finally, on Dec. 10, the repaired Xbox came back.

''I'll be loyal for a while," said Kreis. ''But I'm hoping I never have to call support again, that's for sure."

"Cel Damage" Defies Laws of Physics

There are two kinds of physics. Real-world physics explains why black holes can suck up everything like a super-charged Hoover vacuum, and why people who think it's OK to bite the insulation off live wires don't live to share the experience.

And then there are cartoon physics. They don't explain much of anything, but they let you pull a 300-pound hammer out of your back pocket, and will delay you from plunging into a canyon even after you have run full-steam off the cliff.

A lot of PC and console racing games brag about using real-world physics to control the car's movements, even though your vehicle never gets so much as a dent after crashing into every trestle, barrel and hot-dog vendor on the street.

''Cel Damage," the $50 Xbox racing game from Electronic Arts just released for GameCube, is a refreshing change. Real-world physics don't apply here. In fact, it revels in being pure cartoon.

Giant hammers smash other cars and their drivers. Oversized chain saws slice through opponents like a knife through moldy brie. Cars twist and turn as they take the corners. And if you make the mistake of driving off the edge of a cliff, the game seems ready to give you a moment to back up onto solid ground instead of falling.

The contestants in ''Cel Damage" never die because they're 'toons. Whenever they and their vehicles get hammered, fried, cut to pieces, or blown up -- which usually happens every 30 seconds or so -- a new vehicle simply drops from the skies so the chase can resume.

It's part demolition derby, part racing game, and all frantically-paced fun.

Although ''Cel Damage" was programmed as a three-dimensional game, the developers have designed it so all the objects are bordered by black lines, giving them the two-dimensional look found in traditional animated cartoons.

The title of the game comes from the individual paintings, known as cels, that are photographed in sequence to create cartoons, and have been used since the days before Walt Disney dreamed up Mickey Mouse. The black lines in the cels helped define the edges when workers added color.

But ''Cel Damage" has captured more than the look of old-fashioned animation. The developers have a nice feel for slapstick, such as the way the characters maniacally dance around after their vehicles have been blown

up, and the flags in the ‘‘capture the flag" scenario prance around in sneakers, making them harder to snare.

The challengers include a vampire (motto: ‘‘I’m the whitest guy I know!"), Brian the Brain ("By my calculations, I rock!"), and a pint-sized demon who is so unruly, he got kicked out of hell.

The best lines go to the Whack Angus, the oversized red bull, who thinks his autobiography should be titled ‘‘When Sirloin Goes Bad."

There are 36 types of weapons and a dozen different racing courses, some of which have to be unlocked by either winning some initial races or (if you want to cheat) giving yourself the name Enchilada! (complete with the exclamation point). Up to four players can compete simultaneously.

I found the controls a little unwieldy on the Xbox version. I would have preferred to use a joystick to maneuver the cars instead of the directional pad. Unfortunately players don’t get the option of moving functions to different parts of the game controller. The pace of the game was so fast, I could barely keep up with the action.

‘‘Cel Damage" is rated for teens because of the comic mischief and violence.

‘‘Majestic," the online game designed to immerse players in a government conspiracy, is about to be silenced for good.

Electronic Arts notified players on Jan. 4 that it would discontinue the game May 1.

Its demise is not a surprise. ‘‘Majestic," which got players involved by sending them instant messages, faxes and phone calls, was a commercial disappointment even though it received good reviews.

In a last-ditch resuscitation effort, EA stopped selling it online, where the subscription process was cumbersome, and made it available in retail stores.

The company says most players should be able to finish "Majestic" in less than two months if they play everyday.

There’s a blitz of sports titles showing up in stores this week, including ‘‘NBA Courtside 2002" ($50, Nintendo) for GameCube; ‘‘Sega Sports NFL 2K2" ($50, Sega of America) for Xbox; ‘‘March Madness 2002" ($50, Electronic Arts) featuring more than 130 NCAA schools; and ‘‘ESPN’s Winter X-Games Snowboarding 2002" ($40, Konami) for GameBoy Advance

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->A-ONE Gaming Online - Online Users Growl & Purr!
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New Jaguar and Lynx Games on the Prowl in 2002

For immediate release:

January 10, 2002

ROCHESTER, MN -- Two years ago today Songbird Productions announced the acquisition of three properties from former Atari Lynx and Jaguar developer Beyond Games, including the highly-anticipated CyberVirus. Songbird today announced the official release date for CyberVirus as February 18, 2002.

CyberVirus takes Lynx gaming to an entirely new level by offering 16 action-packed missions all set in an amazing 3D environment. You are a soldier inserted deep into enemy territory, where you alone hold the key to turn back the Cybot threat. Avoid land mines and hunt for weapon prototypes while repelling robots, mutant spiders, and other enemies. This general release of CyberVirus contains many new features, including stealth armor, strafing movement, powerups, storyboards, an enhanced mission select screen, new objectives, all-new cheats and easter eggs, and more.

Songbird continues its tradition of unparalleled support for orphaned Atari systems by also announcing the release of Protector: Special Edition (P:SE) on April 10, 2002. This games builds on the immensely popular Protector for the Atari Jaguar with a bundle of new enhancements, including 40 all-new levels and improvements in gameplay and balance to make the game fun and challenging for newcomers and pros alike. More jaw-dropping landscapes and backgrounds are sure to keep players hungering for each new level, and several new songs have been added to the mix as well.

As if that wasn’t enough, Songbird owner Carl Forhan also indicated that P:SE will include two incredible features to help spur hobby development and lower costs for future CD-based games: BJL and JagFree CD. BJL is a hobby protocol for downloading Jaguar games to RAM, and is a cost-effective alternative for developing new games. JagFree CD allows new CD games to be published and played easily on any consumer Jaguar CD unit.

At press time, Carl revealed plans to bundle a CD game with P:SE. Carl commented, "I want every Jaguar fan who purchases P:SE to know that the JagFree CD feature is present and works correctly with properly produced Jaguar CDs. Thus, I’ve been able to work out a deal to include the demo version of Native on CD with P:SE. While only a one level demo, Native is an impressive start to a game I know many Jaguar fans are anxious to see in action." Carl indicated other CD games were also in the works and would be available in the near future.

When asked if there is anything else fans can look forward to in the two new games, Carl responded, "There is a special treat waiting for players who finish these games. All I’ll say is you’ll definitely want to reach the end on both of them."

If you would like to chat with Carl Forhan and other Atari fans about these exciting developments, be sure to drop by The Atari Times’ chatroom (http://www.ataritimes.com) at 10pm CST today, Thursday, January 10th, 2002.

Songbird Productions is the premier developer and publisher for the Atari Lynx and Jaguar. To keep up to date with the latest news at

Songbird Productions, be sure to visit the company web site at http://songbird.atari.net. CyberVirus and JagFree CD are copyright and trademark 2001 Songbird Productions. Protector is a trademark of Bethesda Softworks. All rights reserved. This message may be reprinted in its entirety.

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A-ONE's Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

Microsoft Loses Effort to Delay Antitrust Hearing

A federal judge on Monday rejected Microsoft's request to delay hearings on what sanctions should be applied against the software giant for violating U.S. antitrust law.

The decision means the remedy hearings, due to start March 11, remain on a parallel track with separate hearings on a proposed settlement that Microsoft has reached between the U.S. Justice Department and nine states.

Nine other states who feel the settlement is too weak had argued against any delay.

''The schedule is still workable and I'm expecting the parties to adhere to it," U.S. District Court Judge Colleen Kollar-Kotelly told a hearing on the scheduling issue.

The timing of the hearings is important, legal analysts say. Endorsement of the settlement, far in advance of hearings on further remedies, would make the dissenting states' effort to get stronger sanctions much more difficult, they have said.

''It's very good news for the states (and) very bad for Microsoft," said Robert Lande, a professor of antitrust law at the University of Baltimore.

Kollar-Kotelly stuck to her timetable for remedy hearings even though Microsoft complained that the nine states still pursuing the case had dramatically expanded the scope of possible sanctions.

Kollar-Kotelly came into court on Monday saying she was not going to grant a delay or limit the scope of remedies she will consider.

Microsoft attorney Dan Webb complained to the judge that the company was having difficulty getting documents from some companies named as witnesses in the remedy proceedings by the nine states.

Among the 14 witnesses listed by the states are officials from Microsoft competitors such as America Online, network computer maker Sun Microsystems Inc., as well as telecommunications giants SBC Communications Inc. and Nokia Corp.

SBC was the only company mentioned explicitly as being "recalcitrant" during Monday’s hearing.

Webb told the judge that, because of the hold-ups, it would be difficult for Microsoft to put together a list of expert witnesses in time for the hearings.

But Kollar-Kotelly was unmoved. She insisted the company can still move forward and would be allowed to amend or add to its witness list later.

Kollar-Kotelly said the timetable for the remedy hearings is not any more difficult than the one for the original trial in the case. And she added that the non-settling states’ proposals were ‘‘still within the universe of what this case is about."

The judge also denied Webb’s request to let Microsoft put off naming the expert witnesses until after it sees the states’ list.

But Kollar-Kotelly did warn other companies named as witnesses to cooperate with Microsoft’s requests for documents or face being dropped from the case.

‘‘I am most certainly not going to hear from them if they’re not cooperative," she said. ‘‘I want that message to go out loud and clear."

SBC spokesman Selim Bingol denied any suggestion that the company is not cooperating. He said the company is ‘‘producing documents according to the schedule that we and Microsoft agreed to."

‘‘We will move forward on that schedule expeditiously," Bingol said.

Kollar-Kotelly said she would hold another hearing in February to review progress in the case. She also ordered the two sides to spell out which issues were still in dispute in a joint report due February.

Microsoft spokesman Jim Desler declined to comment on the judge’s decision to deny the delay request.

An appeals court in June upheld findings that the company violated antitrust law by illegally maintaining its monopoly in personal computer operating systems. But it rejected breaking up the company as a remedy for the illegal acts.

The proposed settlement would require Microsoft to take steps to give computer makers more freedom to feature rival software on their machines and share parts of the inner workings of the Windows operating system with other software makers.

But the nine dissenting state attorneys general say the settlement is inadequate. They have asked Kollar-Kotelly to order Microsoft to sell a cheaper, stripped-down version of Windows and to give competitors access to the inner workings of the Internet Explorer browser.

In addition, the hold-out states want the judge to ensure that Microsoft Office, the popular business software, will be compatible with other software platforms.

The non-settling states have said Microsoft had plenty of warning they would likely seek broad conduct remedies.

Microsoft Asks to Close Interviews

Microsoft on Wednesday asked a court to overturn a previous order allowing journalists and the public to attend witness interviews in advance of the company’s antitrust trial.

Microsoft lawyers wrote that the nine states still suing the company don’t plan to oppose the motion.

In arguing for access to the depositions, media organizations including The New York Times and Reuters America relied on a 1913 law that calls for public access to witness depositions in a suit brought by the federal government.

U.S. District Judge Thomas Penfield Jackson agreed, and several journalists attended and wrote stories based on witness depositions.

But the federal government, as well as nine other states, settled their antitrust suit with the software giant last year and won’t be involved in the depositions.

‘‘The court should make it clear that (the 1913 law) does not apply to any depositions taken in the non-settling states’ action," Microsoft lawyers wrote to U.S. District Judge Colleen Kollar-Kotelly, who is now adjudicating the case.

Lee Levine, a lawyer representing the media organizations, said he was still reviewing Microsoft’s request and could not comment. A spokeswoman for the Times did not immediately return a phone call late Wednesday.

Microsoft took action after lawyers for the Times and The Washington Post said they intend to sit in on the upcoming witness interviews before the trial. Several top Microsoft officials, executives of Oracle, Sun Microsystems, AOL Time Warner and outside experts are scheduled to testify.

A trial is scheduled in March to determine what added penalties Microsoft should face for breaking antitrust law. Nine states, as well as the District of Columbia, chose not to sign on to the federal government’s settlement.

Judge Spikes Microsoft Private Suit Settlement

A federal judge on Friday scuttled Microsoft Corp.’s proposal to donate hundreds of millions of dollars worth of computers and software to schools to settle the scores of class-action antitrust suits filed against the software giant.

The settlement proposal was ‘‘thinly funded" and could have given Microsoft an edge over its rivals in the market for school computers, U.S. District Judge J. Frederick Motz said in a 19-page ruling.

The settlement ‘‘raises legitimate questions since it appears to provide a means for flooding a part of the kindergarten through high school market, in which Microsoft has not traditionally been the strongest player

(particularly in relation to Apple), with Microsoft software and refurbished software," the judge said.

Motz said he agreed with critics of the deal who argued that the donation of free Microsoft software in the settlement agreement ‘‘could be viewed as constituting court-approved predatory pricing."

The ruling means Microsoft now will have to start from scratch in negotiating a new settlement or fight the scores of suits in court.

The settlement would have resolved more than 100 class- action antitrust cases pending against Microsoft. Class-action attorneys from California have argued the money should be reimbursed directly to customers who were overcharged for Microsoft software.

Microsoft spokesman Jim Desler said company officials are "disappointed that this unique opportunity to advance very significant social benefits has been blocked."

However, Desler said the Bellevue, Wash.-based company was "confident we will prevail in these lawsuits." Microsoft shares closed down 67 cents to $68.61 Friday on Nasdaq.

Motz’s decision came a day after Microsoft and the dissenting class action attorneys ended talks with a court-appointed mediator that were aimed at reaching a compromise.

Motz said the proposal might have been acceptable if Microsoft had agreed to fund the settlement entirely with its own cash to buy computers and software for schools rather than relying largely on donations and its own free software.

‘‘Having donated the money to create the fund, Microsoft could then compete with other software manufacturers to sell licenses for its products to the eligible schools through the grants program," the judge said.

The private suits are separate from the landmark antitrust case being heard in Washington. Microsoft agreed last month to settle that case with the U.S. Justice Department and nine of the states that had joined in the suit.

Nine other states have said that settlement is inadequate and proposed their own remedies in a filing with U.S. District Court Judge Colleen Kollar-Kotelly.

Judge Motz in the Baltimore court had expressed reservations about the private suit settlement during three days of hearings on the matter last month. On Dec. 10 he ordered the two sides into mediation in a last-ditch effort to try to find a compromise.

The settling attorneys told Motz the deal is better for consumers than trying to divvy up money among individuals. Consumers would get as little at $10 apiece if Microsoft had agreed to reimburse them directly, they said.

But the California attorneys criticized it as a legal ruse that will further the company’s dominant position in the computer business and give it a leg up over Apple Computer Inc. in the school market.

The California class-action lawyers had complained that the nationwide settlement was negotiated without their input, even though state has a

strong case against the company.

Microsoft Fails To Disclose Congressional Lobbying

According to several legal experts mentioned in news reports, Microsoft failed to inform federal judge Colleen Kollar-Kotelly that it lobbied members of Congress in relation to its ongoing antitrust case.

Court filings reveal only that Microsoft contacted members of the executive branch of the federal government, not anyone in Congress, despite reports to Congress that the company spent US$300,000 on lobbying in the first half of 2001 alone.

Defending itself against the allegations, Microsoft contended that AT&T, when it was embroiled in its own antitrust case in the early 1980s, also failed to inform its federal judge of its lobbying actions toward Congress, despite a 1974 statute that requires companies to do so.

That statute, known as the Tunney Act, was designed to prevent companies like Microsoft and the old AT&T from peddling favors to government employees in exchange for more leniency.

Microsoft spokesperson Vivek Varma noted recently that AT&T’s antitrust disclosure filing mentioned only its communications with the executive branch.

Microsoft noted that AT&T was not penalized for its oversight in failing to mention its lobbying of certain members of congress, and the software giant contended it should not be penalized, either.

Rob Enderle, a vice president at Giga Information Group, told NewsFactor that as defenses go, the "just-because-somebody-else-broke-the-law" defense is not a particularly strong one.

Enderle said Microsoft would be better served if it pointed out that its actions were widely covered by the press. This information has been in the public domain for some time, and Judge Kollar-Kotelly should have known about it, he noted.

Several reports of Microsoft’s activities have been published over the last year or so.

Microsoft has acknowledged that some of its officials briefed Senate Judiciary aides on its proposed settlement prior to a congressional hearing on the case last December. Other legislative aides also have affirmed that they discussed the settlement with Microsoft officials.

The Tunney Act specifically requires all antitrust defendants to disclose any and all written communication with any officer or employee of the United States who has any amount of involvement in the settlement. This includes aides and other staff members as well as legislators, members of the executive branch and federal judges.

In addition, news sources said that an aide to Washington State representative Jennifer Dunn held discussions with Microsoft in September. In the same month, Dunn succeeded in gaining more than 100 signatures on a letter to the Justice Department urging a settlement on the case.

Dunn also spoke with Attorney General John Ashcroft, advocating a speedy resolution to the case in order to benefit consumers.

Giga analyst Enderle said Kollar-Kotelly's ruling on the breach will depend on whether she finds the breach material to the case.

She will "undoubtedly take it into consideration, and it's possible that she could find [Microsoft] in contempt and hit them with a penalty, but it's unlikely she'll go so far as to throw out" the case, Enderle said. "The judge appears to be reasonable."

Apple Unveils Redesigned iMac with Flat Panel

Apple Computer Inc. on Monday unveiled a radical new design for its mostpopular desktop computer
-- the iMac -- that squeezes the guts of the machine into a domed base sprouting a futuristic flat-screen monitor.

The new iMacs, which feature Apple's most-powerful microchip, the G4, and 15-inch monitors, will ship this quarter, Chief Executive Steve Jobs said at the Macworld Expo trade show.

The new entry-level model will be priced at $1,299, and all of the new machines will run the PowerPC G4 processor that Apple had reserved for high-end computers.

The top-of-the-line iMac, which will ship by the end of this month, will be priced at $1,799 and will include a drive capable of writing data and transferring video to DVDs, the company said.

‘‘We expect demand to be large," Jobs said.

The announcement of the new desktop computer line and a 14-inch portable iBook PC capped weeks of speculation over what new products Apple would unveil at Macworld, a venue to promote upcoming software and hardware releases.

In an industry marked by increasingly tight margins, Apple's strategy has been to lure consumers with radical designs and other features that promise ease-of-use, particularly in digital media such as video and music.

Sales of the current line of candy-colored iMacs have flagged recently. ‘‘They really should have done this last Macworld," said Rob Enderle, an analyst at technology researcher Giga.

But by incorporating what had been premium features, including flat screens and the G4 chip, into its flagship platform, Apple is also challenging its own business model, some analysts said.

That could open an opportunity to expand the company's flagging 5 percent share of the personal computer market, but it will also mean facing the risk that the new iMacs strip demand from its existing high-end offerings, analysts said.

‘‘It almost feels like a change in the pricing strategy," said one financial analyst.

Apple engineers and designers have been working on the new all-in-one iMac for the past two years, Jobs said, conceding that some of Apple's users and distributors had been hoping for a quicker release of the new desktop.

But he argued that the radically revamped design that allows the iMac's flat panel screen to pivot out from the computer's half-globe base had been worth the wait.

''This is the best thing, I think, we've ever done," Jobs told the Macworld crowd.

In the past year, Jobs has said Apple's strategy was to release the computer-linked products and software that it sees as central to a new ''digital lifestyle." The latest announcements complete that process, Jobs said.

''We've now got the complete digital hub for the digital lifestyle," Jobs said.

In addition to the new iMac, Apple said on Monday that it would make its OS X operating system standard on all new Macs and unveiled iPhoto, which lets users create slide shows of digital photographs and order prints and custom-bound photo albums online.

The original iMac series, hailed for its colorful designs and translucent cases, was a hit for Apple when it was released in May 1998 and Apple has sold over 6 million iMacs to date, making it one of the most popular computer lines.

Apple's three-year old iMacs were priced from $799 on the company's Web site on Monday, while its high-end Power Mac G4, was priced from $1,699.

Napster Launches Test of New Secure Service

Napster launched a test version of its new copyright-compliant service on Thursday in a bid to restart the once wildly popular song-swap Web site that was shut down by a record industry lawsuit.

The test or ''beta" version, which lacks content from the major music labels, is not open to the public. Instead, it will be offered to 20,000 people randomly selected from a group of more than two million who e-mailed Napster showing interest in participating in the beta test.

Napster's service has been sidelined since July as a result of an injunction issued by U.S. District Court Judge Marilyn Hall Patel in March last year, barring the trade of any copyrighted material on its site.

Over 100,000 files will be available on Napster for the test. All are currently licensed to the company for free by the mostly small, independent labels who have agreed to work with the service.

Konrad Hilbers, the chief executive of Napster, said in an interview he expected to sign deals with some or all of the major music labels soon and relaunch the full version of Napster sometime toward the end of the first quarter.

‘‘We don’t feel total resistance from any of the majors," he said. However, he also said the full version would not relaunch unless it did have major label content to offer.

The beta test will be free, but the full version, should the relaunch take place, will cost somewhere between $5 and $10 a month, Hilbers said.

That fee will allow the user 50 downloads per month with no limit on the total number of downloaded files the user can have at any one time.

Napster also said on Thursday it had selected Portal Software to provide it with the key ingredient for its relaunch: a billing system that charges users for music downloads.

The billing system will be able to track any download in any country around the world and ensure artists get compensated for it, said Portal’s European product marketing manager Steward Potchinsky.

Portal will use the same billing software for Napster that it operates for Internet and telecoms companies such as AOL Time Warner Inc. and Vodafone Group, Potchinsky added.

Napster will offer two types of files: standard MP3 music files and ‘‘.nap" files, which Napster founder Shawn Fanning said were essentially MP3’s with a protective layer that prevent the files from being copied off the host computer or burned onto CDs.

While the new Napster looks in many ways exactly like the old versions of the incredibly popular software, Fanning said 98 percent of the code behind the program was rewritten to improve its various functions.

Those features include a music player, chat rooms, instant messaging, and a ‘‘buy" button that allows users to click on a song and buy the related album from music retail site CDNow.com.

Eventually, Fanning said, Napster is planning to offer contextual information with each song, including an artist discography, track listing from the related albums and staff recommendations on other related music.

CDNow is owned by Bertelsmann AG, which is a major investor in Napster. Hilbers, a former top executive of Bertelsmann’s BMG Entertainment, was named the CEO of Napster in July.

Napster has been dormant since the summer of 2001 after the major labels sued the company, accusing it of facilitating copyright infringement by allowing digital versions of their artists’ songs to be shared for free, in many cases thousands of times each.

Lawmaker Promises Changes to Online Copyright Law

A U.S. congressman said on Monday he intended to change a controversial copyright law to allow consumers to override technologies that prevent them from making digital copies of music, movies, and software.

Virginia Democratic Rep. Rick Boucher said he planned to introduce a bill that would eliminate the ‘‘anti-circumvention" clause of the Digital Millennium Copyright Act (DMCA), a 1998 law that updated copyright laws for

the digital era.

Intended to discourage piracy, the clause has come under increasing fire over the past year by users who say it severely limits the rights of consumers to make personal backup copies or otherwise control music they have purchased.

The clause has inspired high-profile court battles and made a minor celebrity out of Dmitri Sklyarov, the Russian programmer jailed for writing a program that defeated a copy-protection measure in Adobe Systems Inc.’s eBook software.

Boucher told an audience of musicians, lawyers and music industry officials at the Future of Music policy summit that his bill would modify section 1201 of the DMCA to allow consumers to defeat copy-protection measures for legitimate personal uses, but would still outlaw circumvention efforts for piracy.

‘‘I’m very concerned about the DMCA," Boucher said. ‘‘There’s an increasing number of instances in which unjust results are reached."

Boucher pointed out that Vivendi Universal’s Universal Music Group will soon release its new CDs in copy-protected form, making them impossible to play on personal computers and some CD systems as well.

Consumers should be able to use computer programs to defeat that copy protection, he said.

‘‘What do you say to the guy who only wants to use that code so the CD he bought will play on his computer?" Boucher asked reporters after his speech. ‘‘That’s harmless activity, yet under section 1201 he’s guilty of a crime."

Boucher said he did not know when he would introduce the bill in Congress, as he was still lining up support. The bill will face heated opposition, he acknowledged, as the recording and movie industries see section 1201 as a key measure in their battle against online piracy.

Hilary Rosen, the recording industry’s top lobbyist, said the music industry was simply following the practices of the movie and video-game industries.

‘‘As an industry, we are fully committed to ensuring the same, if not higher, audio quality and providing consumers with the same conveniences they’ve enjoyed in the past," said Rosen, president of the Recording Industry Association of America.

However, Boucher did predict success for other digital copyright reforms introduced in his Music Online Competition Act (MOCA) last August.

‘‘Major elements of MOCA almost certainly will be passed by the House, and by Congress, and signed into law," he said. The House Judiciary Committee will hold hearings in February or March, he said.

One measure Boucher believes likely to pass would exempt music services from paying royalties on ‘‘buffer" copies stored in server computers. Another proposal that he sees enjoying widespread support would allow consumers to make backup copies of downloaded music they purchased.

That provision could require structural changes to MusicNet and Pressplay,

two new industry-supported online music services that impose limits on how the music may be used, Boucher acknowledged.

Another measure will likely encounter stiffer resistance, he said.

It would require recording companies to make their music available to independent Internet companies like Napster and Listen.com on terms equal to those of its own services.

The music industry says that the law will not be necessary as online offerings mature and become more comprehensive.

Boucher said MusicNet and Pressplay were a good start, but that there was no guarantee the industry would not freeze out independent sites.

‘‘We think that’s essential for competition to thrive," he said.

Pressplay is a joint venture between recording companies Sony Corp. and Vivendi Universal. MusicNet is backed by media companies AOL Time Warner Inc., Bertelsmann AG, and EMI Group Plc, as well as tech firm RealNetworks Inc. Both Web sites launched in December.

Jokester Serious About Taking On Microsoft

Ken Belanger claims he created a Pocket PC as a joke 17 years ago and is claiming a common-law trademark on the product--and seeking control of pocketpc.com.

Ken Belanger’s Pocket PC may be a gag, but his lawsuit against Microsoft is not.

On Tuesday, the entrepreneur sued Microsoft in small claims court in San Francisco, claiming he created a Pocket PC 17 years ago, and therefore has rights to the name the company has given its handheld computer.

Belanger’s product is not a computer at all but a decidedly low-tech joke gift poking fun at tech industry hype. People who shell out $9.95 for the device receive a box slightly bigger than a deck of cards that contains a poker chip and a set of instructions telling them how to use the chip to make important business and other decisions by flipping it like a coin.

Belanger said he has been selling the product offline for years, but when he went to sell it via the Internet last summer after losing his dot-com job, he discovered that Microsoft had registered Pocketpc.com.

Now Belanger is claiming a common-law trademark on the product because he says he coined the name even though he did not register it. "All I want is my URL," said Belanger, who is also seeking $5,000 from Microsoft in lost sales for the month of December.

A representative for Microsoft, which registered Pocketpc.com in March 2000, said he hadn’t seen the claim and couldn’t comment specifically except to say that Pocket PC is a generic description.

Belanger, who said he’s used small claims court twice before to win $1,000 each from Pac Bell and a collections agency, is turning there this time because he can’t afford the attorney he would need to fight Microsoft in

federal court.

Plus, he said, small claims court brings the software giant down to his level. The court doesn’t allow attorneys, meaning the company representative would have to go mano a mano with Belanger.

"I consider myself a little guy who’s using the system," Belanger said. "In small claims court they can’t bring 50 lawyers. They can’t use their standard tactics."

Although small claims court decisions are not precedent setting, Belanger hopes to use any judgment in his favor to bolster his claims to the domain name. Belanger said his next stop after small claims court is one of the ICANN-approved (Internet Corporation for Assigned Names and Numbers) domain name dispute resolution bodies, which have the power to transfer Web addresses from one party to another.

Jonathan Band, an intellectual property attorney with Morrison Forrester, said the case depends on several factors, including whether people might be confused about the two products. "If there’s a likelihood of confusion as to origin, then maybe there’s a case," he said, adding that "the likelihood of confusion, given that it’s a gag gift, is pretty small."

Belanger may have claim if he can prove he had the name first, Band said, but when asserting his rights to the Web site, he also may have to prove Microsoft registered it in bad faith.

It’s not the first time Microsoft has run into legal challenges involving the name of its handheld computer. The company stopped calling the device a PalmPC after Palm Computing, creator of the PalmPilot, sued it in 1998.

Anthrax Mail Cleaning Zaps Digital Data

Digital dream gadgets are being irreparably zapped by an irradiation process the U.S. Postal Service has used since October to sanitize mail against anthrax threats, an electronics trade group said on Tuesday.

Compact flash memory cards used to store data on many name-brand digital cameras and handheld computers face not just data loss but become entirely inoperable when subjected to electron beam irradiation, the CompactFlash Association said.

The trade group -- comprised of scores of Asian, American and European electronics makers -- made the announcement from the Consumer Electronics Show (CES) underway here this week.

CES is the largest annual U.S. trade show devoted to showcasing electronic gadgets.

‘‘Testing has confirmed that these systems, which operate in the range of 55 kGy, damage not only semiconductors, but other goods as well, including pharmaceuticals, contact lenses, biological samples, and photographic film," the group said.

KGy is a measure of gamma radiation levels.

Since October, the U.S. Postal Service has subjected mail to irradiation

scans to guard against the danger of anthrax and other possible biological agents passing through the delivery system.

Five persons in the United States are known to have died from inhaled anthrax, including two postal employees, a tabloid photo editor and two women with no known connection to anthrax-tainted mail.

The Postal Service’s own Web site states that: ‘‘The Postal Service is working with the mailing industry to develop procedures to ensure that sanitization of the mail will not damage sensitive items in the mail.

‘‘Sanitization technology is currently being tested on a wide range of film products, digital and magnetic storage devices, laboratory samples, food and plant products, and "smart" credit cards with embedded chips to ensure that all business mail can be safely processed through the postal system."

The question of the outcome of such tests on these products remains unanswered on the postal organization’s site.

The Compact Flash Association said it is possible that the Postal Service is no longer passing targeted mail though these e-beam systems. It said it is working with the post office to find safe ways to deliver semiconductor memories via the mail.

However, the group said it is alerting all users of CompactFlash cards of the inherent risk of damage to CompactFlash cards should they pass through an e-beam irradiation system.

The CompactFlash Association said that other delivery services have no plans to use irradiation systems, but users should remain alert for any changes in the future. And while e-beam irradiation systems for the mail will damage CompactFlash cards, the X-ray scanners at airports will not.

Name That Worm - How Computer Viruses Get Their Names

What’s in a name? Plenty, if you ask a computer virus researcher who is responsible for designating the latest malicious code spreading on the Internet.

Antivirus experts say there are specific guidelines for naming computer worms. Not surprisingly, the first rule dictates that the name should be anything other than what the virus writer wants it called. Beyond that, researchers look to the code, to its message, or the situation to name worms as they find them.

Sometimes the process is more random. Who would have guessed that the Code Red virus got its name from an eEye Digital Security researcher’s beverage of choice -- the cola variety of Mountain Dew soft drink -- the night they picked through the corruptive code.

Symantec Security Response senior director Vincent Weafer, who referred to Code Red’s caffeine-based name, told NewsFactor that there are some things researchers do not use when naming worms:

"We don’t use the name of the virus writer because we don’t want to give name recognition for something that’s done for publicity, and we don’t use

the date because there are so many trigger dates and it’s such an easy thing to change that it wouldn’t make any sense," Weafer said.

"After that, it comes down to the researcher and what they find unique about a particular virus," Weafer added.

Experts said virus writers almost always name their worms or offer clues as to what they want them named, and virus researchers almost always choose something else.

"We look to rename it because we don’t want to acknowledge them or play into what they’re trying to accomplish," Network Associates director of antivirus research Vincent Gulotto told NewsFactor. "As far as what the virus writer wants it to be, I’m not really sure that we care."

Symantec Security’s Weafer said implications and connotations of virus names are also considered, referring to the Goner worm, which might have been called Pentagon but was dubbed Goner to eliminate association with last year’s terrorist attack on the Washington D.C. building.

Weafer said that while researchers often look only at the code of a computer worm and not the e-mail message, Goner got its name from its references to "leaving" and "I have to go."

Experts said virus names come from the researcher who first finds and announces them.

"The name is typically driven by something they see in the code or something the virus does," Network Associates’ Gulotto said.

Weafer said most antivirus companies have policies and letter-number formulas for virus names, adding that researchers must check a new name against a database of existing names.

"There are so many viruses now, trying not to use the same name is challenging," Weafer said, referring to some 58,193 viruses detected by Symantec’s Norton antivirus software.

Experts said it is common for worms to exist with more than one "alias" for some time before the accepted, common reference emerges. Antivirus companies will then re-name viruses in their own advisories and listings to reduce confusion, researchers told NewsFactor.

"Eventually, we’ll all get back to the same name," Weafer said. "It’s trying to balance scientific and education purposes of naming and the ability to communicate broadly. If you end up using an obscure name, that’s a disservice."

Weafer referred to "blended threats" -- viruses that combine worms with security exploits -- as another challenge for naming the latest threats because of two different naming schemes.

Still, Gulotto said, the antivirus community’s naming efforts have improved in recent years.

"The process itself has become much better in the last couple of years," Gulotto said. "These days, more companies are calling viruses by the same name. When you take away the variants and the prefix, the virus name is the same."

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